

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DOUGLAS J. HORN and CINDY HARP-HORN,

Plaintiffs,

-against-

MEDICAL MARIJUANA, INC., DIXIE
HOLDINGS, LLC, RED DICE HOLDINGS, LLC,
and DIXIE BOTANICALS,

Defendants.

Civil Action No.
15-cv-00701-FPG

Hon. Magistrate Judge
Jonathan W. Feldman

Motion to Withdraw as Counsel

Undersigned attorney Jean-Claude Mazzola of Mazzola Lindstrom LLP hereby requests that this court enter an order permitting him and his law firm to withdraw from the case and from further representation of defendant Dixie Holdings, LLC. In support thereof, the undersigned states, under penalty of perjury pursuant to 28 U.S.C. §1746, as follows:

1. Defendant Dixie Holdings, LLC retained the undersigned law firm to represent it in the above-captioned case.
2. Multiple grounds for withdrawal exist under New York of Professional Conduct Rule 1.16.
3. Dixie Holdings' principal Tripp Keber has consented to my and my firm's withdrawal due to non-payment and its unwillingness to pay this firm's legal fees, expenses attendant to the continued defense of the case, and reimburse this firm's anticipated disbursements or expert attendance fees.
4. Additionally, Dixie Holdings has advised that it lacks the wherewithal or desire to continue to mount a defense against plaintiff's claims.

5. The instant motion is filed at a time when withdrawal can be accomplished without any material adverse effect on the interests of the defendant, as trial has not yet been scheduled.

6. Requiring the undersigned to remain on the case would impose an unreasonable financial burden on the undersigned.

7. Further information and reasons in support of withdrawal will be provided to the court *in camera* upon request.

WHEREFORE, undersigned counsel respectfully requests this court grant this motion to withdraw as counsel for defendant Dixie Holdings, LLC.

Dated: New York, New York
May 28, 2025

MAZZOLA LINDSTROM, LLP
By: /s/ Jean-Claude Mazzola
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